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EXHIBIT "A"

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ERASMO CRUZ, on behalf of himself, individually,
and on behalf of all others similarly-situated,

USDC SDNY
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DOC#
DATE FILED: 11/2/17

Case No.: 1:17-cv-00153 (AJP)

Plaintiff,

-against-

MERCURY CONSTRUCTION CONCEPTS, INC.,
HANDY ANDY SQUAD, INC., and
ANDREW RUSSAC, an individual,

**ORDER OF DISMISSAL
WITH PREJUDICE**

Defendants.

-----X

Upon the joint application of the Plaintiff and the Defendants, by their respective counsel, for entry of an Order of Voluntary Dismissal with Prejudice, upon approving of the parties' negotiated settlement in the above-captioned action pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), and the parties having consented to the entry of this Order; and sufficient cause appearing for the same; after due deliberation; it is

HEREBY ORDERED AS FOLLOWS:

1. The parties' settlement has been negotiated in good faith and at arm's length by the parties through their respective counsel;
2. The settlement is approved as a fair and reasonable disposition of the Plaintiff's claims brought pursuant to the Fair Labor Standards Act; and
3. Accordingly, this action, and all of the claims asserted therein, is hereby dismissed in its entirety with prejudice pursuant to Federal Rules of Civil Procedure 41(a)(2). The Court shall

retain jurisdiction over this matter to enforce the parties' settlement agreement and to enter judgment in the event of Defendants' breach of it in accordance with the agreement's terms.

SO ORDERED.

Dated: New York, New York

11/2, 2017

Andrew J. Peck, U.S.M.J.

HON. ANDREW J. PECK
United States Magistrate Judge
Southern District of New York

(wp) AJP:APL/bm

BY ECF